

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ANDREW LANCASTER, et al.,  
Plaintiffs,

No. C 79-01630 WHA

v.


**REQUEST FOR  
RESPONSE**

JAMES E. TILTON, Acting Secretary, California  
Department of Corrections and Rehabilitation, and  
ROBERT L. AYERS, JR., Acting Warden, San Quentin  
State Prison,

Defendants.

Intervener states: "The substance of the existing decree is found in its implementing procedures, Institutional Procedures No. 608 (IP 608)" (Br. 2). Intervener then implies — without actually stating — that a violation of IP 608 is a violation of the consent decree. While the Court is inclined to find that it can enforce the *consent decree*, neither intervener nor defendants explain whether or not the Court has jurisdiction to enforce San Quentin's *implementing procedures*, specifically IP 608. Nor does it appear that IP 608 was ever approved by order of the Court (although IP 215 was approved as an appendix to the fourth report of the monitor). By **NOON on JUNE 19, 2007**, plaintiffs, intervener, and defendants should each file a short statement, not to exceed three pages (double-spaced, 12-point font, no footnotes), explaining the history of IP 608 in this case and detailing their respective positions on the issue of the Court's ability to enforce the existing version of IP 608.

Dated: June 16, 2007.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE